

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

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| No. | CV 18-9762-SVW (AS) | Date | July 26, 2019 |
| Title | Justin Case Thompson v. Arroyo Grand Police Department, et al. | | |

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| Present: The Honorable | Alka Sagar, United States Magistrate Judge |
| Alma Felix | N/A |
| Deputy Clerk | Court Reporter / Recorder |
| Attorneys Present for Plaintiffs: | Attorneys Present for Defendants: |
| N/A | N/A |

Proceedings (In Chambers):

Order to Show Cause Re: Lack of Prosecution

On November 20, 2018, Justin Case Thompson (“Plaintiff”) filed a pro se civil rights Complaint pursuant to 42 U.S.C. § 1983. (Docket Entry No. 1). The Court subsequently granted Plaintiff’s application to proceed in forma pauperis. (Docket Entry No. 5). On December 18, 2018, the Court screened and dismissed the initial complaint, with leave to amend. (Docket Entry No. 13). On January 29, 2019, Plaintiff filed a First Amended Complaint, and on February 13, 2019, the Court dismissed the First Amended Complaint with leave to amend. (Docket Entry Nos. 17-18).

On April 5, 2019, when Plaintiff failed to file a Second Amended Complaint by the deadline, the Court issued an Order to Show Cause directing Plaintiff to respond by April 30, 2019. (Docket Entry No. 19). On April 29, 2019, Plaintiff filed a Second Amended Complaint, and on May 10, 2019, the Court dismissed the Second Amended Complaint with leave to amend. (Docket Entry No. 20-21). Plaintiff was directed to file a Third Amended Complaint “no later than 30 days from the date of [the Court’s Order].” (Id. at 5).

To date, Plaintiff has failed to file a Third Amended Complaint or request a further extension of time to do so. Accordingly, Plaintiff is ORDERED TO SHOW CAUSE, in writing, no later than **August 16, 2019** why this action should not be dismissed with prejudice for failure to prosecute. This Order will be discharged upon the filing of a Third Amended Complaint that cures the deficiencies in the last pleading or upon the filing of a declaration under penalty of perjury stating why Plaintiff is unable to file a Third Amended Complaint. A copy of the Court’s May 10, 2019 Order is attached for Plaintiff’s convenience.

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If Plaintiff no longer wishes to pursue this action, he may request a voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a). A notice of dismissal form is attached for Plaintiff's convenience. Plaintiff is warned that a failure to timely respond to this Order will result in a recommendation that this action be dismissed with prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute and obey court orders.

cc: Stephen V. Wilson
United States District Judge

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